



Agenda Item No.

## **DEVELOPMENT REVIEW REPORT**

The matter before the Planning and Zoning Board (Board), sitting as the Local Planning Agency (LPA), is a proposed Ordinance amending Zoning Designation for the property located at 7730 W Commercial Blvd from Commercial (CG) to Residential Multifamily (RM-40). The proposed Ordinance is before the Board/LPA as required by The City of Lauderhill's Land Development Regulations (LDR) Article IV., Part 2.0., and Article VI., Section 4 requires the Board/LPA to make a recommendation to the City Commission on Zoning District Map Amendments applications. Staff recommends the City Commission adopt the findings into the record and Adopt Ordinance of the Commission of the City of Lauderhill, Florida granting to Three Amigos Lauderhill, LLC, a development order amending the Zoning District Map identified in The City of Lauderhill's Land Development Regulations (LDR) Article III., Zoning Districts, Part 2.0, District Regulations, Subsection 2.2.1., Adoption of Zoning District Map;; changing from a from a Commercial (CG) to Residential Multifamily (RM-40) Zoning Designation for a 13.73+ acre parcel legally described as:

*UNIVERSAL PLAZA 100-9 B PT OF PAR A DESC AS COMM NE COR OF SAID PAR A;W 40,S 203.50 TO POB CONT S 154.25,W 162.63, S 499.49,W 617.37 TO SW COR PAR A;N 1120.40 TO NW COR SAID PAR A,E 36.45,S 221.67,E 189,N 218.04,E 20,S 40.41,E 119.50,S 128.22,E 164.93,S 98.89,W 15.30, S 203.50,E 265.30 TO POB AKA: TARGET TRACT; MORE COMMONLY KNOWN AS 7730 W COMMERCIAL BLVD, LAUERDHILL, FLORIDA;*

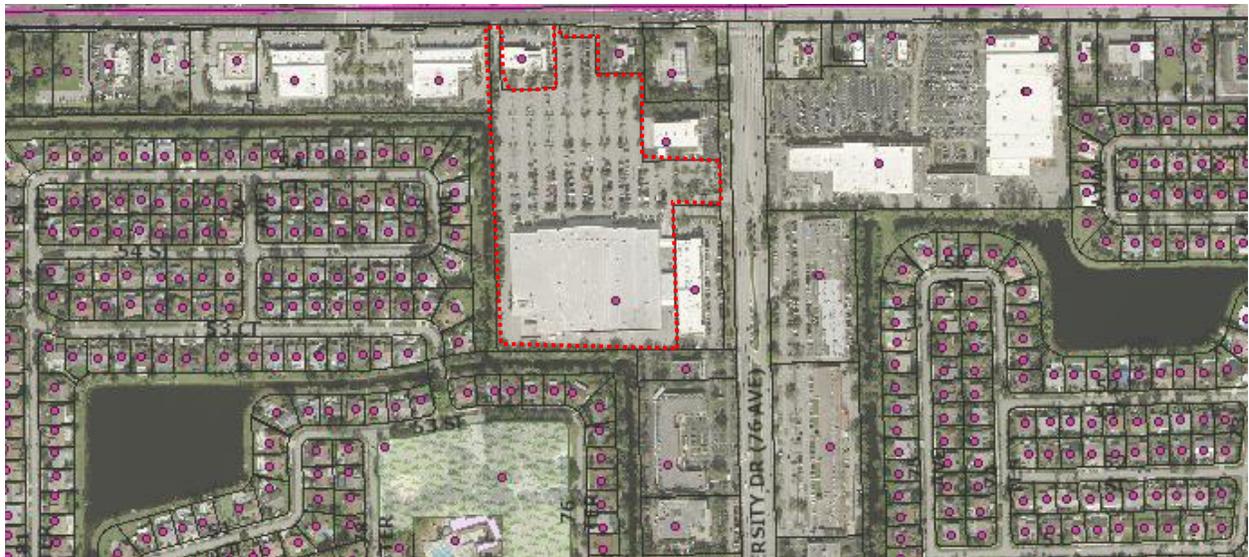
### **I. BACKGROUND**

This Subject Property is located at the South West Corner of North University Dr. and West Commercial Blvd. The Subject Property is currently improved with a 174,193 square foot building (previously a Target retail store) which is now currently vacant. The property is surrounded by commercial outparcels. The application proposes to amend the Zoning

Designation from Commercial (CG) to Residential Multifamily (RM-40) to allow the development of a multifamily project consisting of 501 dwelling units on the Property.

**Figure 1** (below) is an aerial photograph of the site's (outlined in red) location and contextual relationship to the build environment. **Figure 1** emphasizes the proximity of the subject site to single-family residential properties and provides for clear delineation of an existing canal that acts as a buffer from predominant residential community to the existing commercial corridor.

**Figure 1 - Aerial (7730 W COMMERCIAL BLVD)**



Source: City of Lauderhill GIS Application (January 2020)

**Figure 2** below provides a portion of the City of Lauderhill's Zoning Map.

Figure 2 further depicts that the subject site currently has Commercially Zoned properties to the North, East, a portion of the West, and a portion of the South. There are also Single Family Residential Zoned properties to the South and West of the subject site.

**Figure 2 - Subject Property Zoning Map (7730 W COMMERCIAL BLVD)**



## II. PROPOSED ORDINANCE

The proposed Ordinance was scheduled before the Board/LPA on January 28,2020 as required by The City of Lauderhill's Land Development Regulations (LDR) Article IV., Part 2.0., and Article VI., Section 4 requires the Board/LPA to make a recommendation to the City Commission on Future Land Use Plan Amendment applications. Staff recommended to the Board forward the record to the City Commission with a recommendation to Not Adopt an Ordinance of the Commission of the City of Lauderhill, Florida granting to Three Amigos Lauderhill, LLC, a development order amending the Zoning District Map identified in The City of Lauderhill's Land Development Regulations (LDR) Article III., Zoning Districts, Part 2.0, District Regulations, Subsection 2.2.1., Adoption of Zoning District Map;; changing from a from a Commercial (CG) to Residential Multifamily (RM-40) Zoning Designation for a 13.73+ acre parcel legally described as:

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Update 3/13/2020

The Planning and Zoning Board voted to forward the Future Land Use Application with a recommendation of Denial to the City Commission at the January 28,2020 meeting.

The Applicant has since worked with City Staff and provided three (3) conceptual development plans (Attachments C1-C3) to address both Staff and the Community's concerns. Staff recommends that the City Commission Adopt an Ordinance of the Commission of the City of Lauderhill, Florida granting to Three Amigos Lauderhill, LLC, a development order amending the Zoning District Map identified in The City of Lauderhill's Land Development Regulations (LDR) Article III., Zoning Districts, Part 2.0, District Regulations, Subsection 2.2.1., Adoption of Zoning District Map;; changing from a from a Commercial (CG) to Residential Multifamily (RM-40) Zoning Designation for a 13.73+ acre parcel legally described as::

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**Attachments A and B** are a copy of the Zoning District Map Amendment Application on file with the Planning and Zoning Section. If a Future Land Use Map Amendment Application is granted and this Zoning District Map Amendment is then granted, Three Amigos Lauderhill, LLC will develop 13.72 NET acres of the rezoned property with a Multifamily Development consisting of 501 dwelling units.

### **III. GENERAL DATA & ANALYSIS**

Data means factual information used as a basis for reasoning, discussion or calculation. Data must be based upon professionally reliable sources and the most recently available data should be used. Analysis involves an examination of the data, any assumptions, any employed methodologies, any applicable regulations, and deducing findings of facts and conclusions needed in order to make a recommendation.

The Division concludes the applicable Land Development Regulations (LDR) include: Article IV, Part 1.0 “Development Review Requirements”, which generally addresses provisions on a pre-application conference for persons proposing to submit land development order applications, the review of land development order and permit applications for technical completeness, and the application review period; Objective 122 of the City of Lauderhill’s Future Land Use Element of the Comprehensive Plan; And Policies 2.2.1-2.2.8 of the City of Lauderhill’s Future Land Use Element of the Comprehensive Plan.

A. Pre-application conference. LDR Article IV, Part 1.0., Subsection 1.3.1 addresses the optional pre-application conference. It provides for the Applicant to meet with Division staff to discuss the development review process, the type of review required (whether major or minor), and to be informed of which other City staff members to confer with about the application.

The Division held numerous meetings with the Applicant and their representatives to discuss the proposed Future Land Use Map Amendment Application. The Applicant and their representatives were advised that a Future Land Use Map Amendment Application along with Zoning District Map amendment with an approval by the City Commission were required to be able to develop the subject site with a Multi-Family use.

Additionally, the Applicant would need to apply and obtain the following entitlements to be able to operate Multi-family use:

- Special Exception Use Development Order to allow within the Residential Multi-Family (RM-40) Zoning District a Multifamily Dwelling Units, Attached Use
- Site Plan Approval

B. Zoning requirements. LDR Article III, Section 2.2, addresses assignment of zoning districts. Changes, amendments, and reassignment of districts thereon shall be made only in accordance with the provisions of or by amendment to the Land Development Regulations.

C. Allowable land uses. LDR Article III, Sections 2.3., and 2.4., and Schedule B, respectively address permitted and special exception uses.

The application proposes to construct a multifamily development. Staff notes that these uses would be prohibited in the CG zoning district. The RM-40 zoning district, however would allow a Multifamily, dwelling units attached, Use by process of Special Exception as well as Commercial uses limited to neighborhood retail sales, restaurants, restaurant bars, and personal services not to exceed one thousand (1,000) square feet per gross residential density provided the minimum residential development density is 30 dwelling units per gross acre as provided within Article III Section 3.1.15.

Commercial uses would be limited to neighborhood retail sales, restaurants, restaurant bars, and personal services not to exceed one thousand (1,000) square feet per gross residential density provided the minimum residential development density is 30 dwelling units per gross acre. Should the application be approved, Commercial uses would be limited to approximately 529,000 square feet.

D. LDR. LDR Article IV, Development Review Requirements, Part 2.0. , pertains to Zoning District Map and zoning regulation amendments. It requires a Zoning District Map or regulation amendment be in conformance with Section 2.2, on the size of the area, with six (6) factors identified in Section 2.4, with Section 2.6, on the minimum frontage and size requirements for Zoning Map or regulation amendments, the procedural requirements of Section 2.9., and the public notice requirements of Section 2.10.

1. *Area for rezoning.* LDR Article IV., Part 2.0., Section 2.2, requires the Board to consider whether the area described in the application should be enlarged in order to reflect the interests of the City and to correspond with the Comprehensive Plan. The Board shall study and recommend to the City Commission such enlargement, if any, as it may deem desirable.

City Staff recognized the need for market rate housing within the city of Lauderhill does not believe that the area described within the application

should be enlarged as a true mixed use development would result in reflecting the interest of the City and to correspond with the Comprehensive Plan. There should be commercial components incorporated into this application as noted in the 2019 ULI report.

The City of Lauderdale invited the Urban Land Institute Southeast Florida/Caribbean District Council in the Spring of 2019 to conduct a comprehensive analysis regarding its overall future development while examining three specific key sites within the City. This subject site (known as the Target site within the report) was encourage to have Residential uses that can support onsite commercial uses in order to have true mixed use project that keeps the character of the Commercial Corridor and also adapts to the City's need for Market Rate Housing.

The application has since provided an updated letter to include live work units as part of the overall development. The live-work units will provide flexibility for commercial uses on the property and will incorporate a design element on the ground floor that will read like a commercial façade at time of Site Plan Approval.

2. *Amendment factors.* LDR Article IV, Part 2.0, Section 2.4, requires the Board and City Commission to consider and evaluate zoning changes in relation to all pertinent factors but with reference to six (6) specific factors. The proposed application is evaluated below against the six (6) identified factors.

- a. **The character of the district and its peculiar suitability for particular uses.**

The intent of the residential multi-family at forty (40) dwelling units per gross acre (RM-40) zoning district is to:

1. Allow vacant commercial and light industrial lands and underutilized or obsolete commercial and light industrial uses to be developed or redeveloped with residential multi-family uses;

The project meets the intent as the purpose of the project is ultimately develop a multifamily project.

2. Provide for market rate housing;

The project meets the intent, as it will consist of market rate housing exclusively.

3. Allow limited commercial uses as accessory to the residential uses;

The intent of the RM-40 Zoning District is to allow accessory commercial uses to residential uses. The project does not propose commercial uses as part of the application and considers the overall plan to be a mixed-use development by utilizing outparcels meet the commercial component.

In order to be considered a mixed-use development, accessory commercial uses must be incorporated to the overall program and be maintained onsite.

The application -has provided an updated letter to include live work units as part of the overall development. The live-work units will provide flexibility for commercial uses on the property and will incorporate a design element on the ground floor that will read like a commercial façade at time of Site Plan Approval. Commercial uses would be limited to neighborhood retail sales, restaurants, restaurant bars, and personal services not to exceed one thousand (1,000) square feet per gross residential density provided the minimum residential development density is 30 dwelling units per gross acre. Should the application be approved, Commercial uses would be limited to approximately 529,000 square feet.

4. Encourage the most appropriate use and re-use of land and water by providing a zoning district with flexible development standards; and

The RM-40 zoning district provides development flexibility by allowing mixed use development and development standard incentives in the way of less stringent parking requirements. The project conforms as it includes commercial components (live-work units) within the overall program and encourages the most appropriate use and re-use of land.

5. Implement the recommendations of the Strategic Redevelopment Plan for SR-7 and the Citizen's Master Plan (Charette) for SR-7 which call for the development and redevelopment of some areas zoned commercial and light industrial district with residential uses.

This standard does not apply as the project does not bound SR-7.

6. The RM-40 zoning district corresponds to the transit oriented corridor future land use designation in the future land use element of the Comprehensive Plan.

This standard does not apply as the project is not within a TOC.

- b. Conservation of the value of buildings and encouraging the most appropriate use of land and water throughout the City.**

The RM-40 zoning district provides development flexibility by allowing mixed use development and development standard incentives in the way of less stringent parking requirements. The project conform as it includes commercial components to the overall program and encourages the most appropriate use and re-use of land.

- c. The applicable portions of the adopted City Comprehensive Plan and programs such as land use, trafficways, recreation, schools, neighborhoods, drainage and housing and so forth.**

The Application has a companion item for a Future Land Use Map Amendment to allow a Commercial Future Land Use Designation to a High (50 du/acre) Future Land Use designation.

The following Objectives and Policies within the City of Lauderhill's Future Land Use Element of the Comprehensive Plan:

- Objective 2.2 Future Land Use Map Amendments states the following:

“The City Commission may, from time-to-time, amend the future land use map, in a manner consistent with state and county laws and regulations”

The applicant will be requesting a Future Land Use Change that **is not consistent** with Broward County’s Land Use Plan Designation as shown below:

	Broward County	City of Lauderdale
<b>Current Designation</b>	Commerce	Commercial
<b>Proposed Designation</b>	High (50) Residential	High (50 du/acre) Residential





The applicant additionally refers to the following Broward County Land Use Policies as justification for the proposed Future Land Use Change:

**Policy 2.20.1:** Adopt, implement and encourage land use provisions which promote the principles of the “Smart Growth” initiative seeking to maintain and create desirable and efficient communities for Broward County residents, visitors and economic interests including quality housing for all integrated with excellent and sufficient public facilities and services, recreational opportunities and open space areas, and which maximizes preservation and conservation of natural resources.

**Applicant Justification -** *The redevelopment of the Property for a multi-family residential project is in line with the principles of Smart Growth by creating a walkable, mixed-use development area with a connected pedestrian network. Residents of this development will be able to easily access the adjacent commercial uses and nearby Veteran’s Park with recreational facilities and a community pool.*

**PZ Staff Analysis and Conclusion Policy 2.20.1-** The application includes live work units which include commercial components in order to classify this project as a mixed-use development and meet the intent of Policy 2.20.1.

**Policy 2.20.2:** Provide a range of housing opportunities and choices, including those in the “medium” to “high” densities

where compatible with the physical location and serves the needs of residents in all age and income groups.

**Applicant Justification** - *This project will provide a high density housing choice along two large commercial corridors, N. University Dr. & W. Commercial Blvd. The surrounding area consists of commercial and residential uses that are mainly single-family. This project will provide a housing choice that is within walking distance to commercial retail and restaurant uses, creating a walkable, mixed-use development space that accommodates residents of all ages.*

**PZ Staff Analysis and Conclusion Policy 2.20.2-** The project currently abuts single family residences as well as the commercial corridor. In order to ensure compatibility, appropriate height transition to protect abutting single family zoned properties is crucial. Appropriate Height Transition refers to providing a compatible height to the existing abutting single-family homes along the proposed buildings closest to the property lines and transitioning higher massing towards the middle of the site and the commercial corridor.

The Applicant provided an updated site plan consisting of 501 dwelling units that provides transitional massing towards the center of the site which meets the intent of Policy 2.20.2.

**Policy 3.6.5:** Development designs should be context-sensitive, and consider existing and planned adjacent land uses. Development projects should be considered both separately and as part of a connected network with integrated pedestrian, bicycle and transit facilities generally consistent with the Broward Complete Streets Guidelines or equivalent principles.

**Applicant Justification** - *This Property is located at the intersection of N. University Dr. and W. Commercial Blvd. Both of these corridors have an existing sidewalk network that provides connectivity to the existing commercial uses and nearby residential uses. The Project will provide sidewalks that tie into this existing network, providing connectivity to commercial and recreational use for the residents. The Property also has access to mass transit, with 2 Broward County Transit (BCT) routes along*

*University Dr. and 1 BCT route along Commercial Blvd. Additionally, there are two city operated shuttle buses with routes along these roadways.*

**PZ Staff Analysis and Conclusion Policy 3.6.5-** The Implementation of Functional Greenspace Areas to be utilized by the public is strongly encouraged.

In order to further meet the intent of this policy, the implantation of connectivity to the existing outparcels to promote pedestrian and multimodal circulation at the Site Plan Approval Stage shall be required.

The Applicant provided an updated site plan that consist of 501 dwelling units that includes functional greenspaces to be utilized by the public as part of the design which meets the intent of Policy 3.6.5 at the time of Site Plan Approval.

## **2. POLICY 2.2.1 CONCURRENCY**

*The Planning and Zoning Department staff shall recommend denial of any proposed Future Land Use Map amendment, which fails to meet the concurrency requirements of Policy 2.3.1*

The Applicant provided the necessary documentation to satisfy this policy.

## **3. POLICY 2.2.2 WETLAND RESOURCES**

*The City of Lauderhill shall consider the impacts of Future Land Use Map Series amendments on wetland resources in order to avoid and minimize such impacts to the maximum extent practicable.*

This policy does not apply, as there are no Wetlands on site.

## **4. POLICY 2.2.3 COMMUNITY REDEVELOPMENT AREAS (CRA)**

*Community redevelopment areas shall be identified within on the Future Land Use Element Data, Analysis and Inventory (DIA) section of the Comprehensive Plan.*

This policy does not apply, as the subject site is not within the CRA.

**5. POLICY 2.2.4 COMPATIBILITY**

*The compatibility of existing and future land uses and the prevention of uses inconsistent with the community's character shall be a primary consideration in the review and approval of amendments to the Lauderhill Comprehensive Plan.*

The project currently abuts single family residences as well as the commercial corridor. In order to ensure compatibility, appropriate height transition to protect abutting single family zoned properties is crucial. Appropriate Height Transition refers to providing a compatible height to the existing abutting single-family homes along the proposed buildings closest to the property lines and transitioning higher massing towards the middle of the site and the commercial corridor.

The City of Lauderhill invited the Urban Land Institute Southeast Florida/Caribbean District Council in the Spring of 2019 to conduct a comprehensive analysis regarding its overall future development while examining three specific key sites within the City. This subject site (known as the Target site within the report) was encouraged to have Residential uses that can support onsite commercial uses in order to have true mixed use project that keeps the character of the Commercial Corridor and also adapts to the City's need for Market Rate Housing.

**6. POLICY 2.2.5 HISTORIC RESOURCES**

*The City of Lauderhill shall consider the impacts of Future Land Use Map Series amendments on historic resources.*

This Policy does not apply as it does not have historic resources onsite.

**7. POLICY 2.2.6 PUBLIC SCHOOLS**

*The City of Lauderhill shall consider the individual and cumulative impacts of Future Land Use Element amendments on existing and planned public elementary and secondary education facilities.*

The Applicant submitted A PSIA was submitted to the School Board for review. A School Consistency Review Report is attached as part of Attachment C. The report states that there is sufficient capacity in the applicable schools to meet the anticipated number of students generated by the Project.

**8. POLICY 2.2.7 TRANSPORTATION FACILITIES**

*The City of Lauderhill shall consider the individual and cumulative impacts of future land use map amendments on the existing and planned transportation facilities in Broward County.*

A traffic impact study was provided as part of this application as part of Attachment C showing that a multifamily development would result in less of an impact than a commercial project. The City's Traffic verified said study and agrees with the Applicant's Traffic study that will result in less overall generated trips by going from a Commercial Future Use Category to a Residential Future Use Category.

**9. POLICY 2.2.8 INDUSTRIAL USES**

*Amendments to the Lauderhill Future Land Use Map proposing land use categories which permit Industrial land uses shall be discouraged, to the extent feasible, within wellfield protection zones of influence as identified by the Potable Water Supply Wellfield Protection Ordinance of Broward County.*

This policy does not apply as industrial uses are not part of this application.

**d. The need of the City for land areas for specific purposes to serve population and economic activities.**

City Staff recognized the need for market rate housing within the city of Lauderhill but will be losing a total of 3.25 percent of its Commercial development capacity as shown below:

FUTURE LAND USE PERCENTAGES		
TOTAL SQUARE FEET =		277,909,615
TOTAL ACRES =		6,380
LAND USE TYPE	AREA (sq ft)	AREA (acre)
Commercial	18,384,181	422
Commercial Recreation	16,166,497	371
Community Facilities	6,637,818	152
Residential (All types)	203,291,853	4,667
Industrial	1,902,616	44
Office Park	280,362	6
Recreation/Open Space	7,467,767	171
Transportation/TOC	21,365,275	490
Utilities	1,107,185	25
Other (Canals, Lakes, etc.)	1,306,061	30
	AREA (acre)	% of Commercial (Comm)
Target Parcel	13.73	3.25%

It is encouraged to include Commercial components to the overall application to offset the Commercial Inventory that would be lost should the project be approved to serve population and economic activities.

Commercial uses would be limited to neighborhood retail sales, restaurants, restaurant bars, and personal services not to exceed one thousand (1,000) square feet per gross residential density provided the minimum residential development density is 30 dwelling units per gross acre. Should the application be approved, Commercial uses would be limited to approximately 529,000 square feet.

**e. Whether there have been substantial changes in the character of development in or near an area under consideration for rezoning.**

The Division concludes that there have not been substantial changes in the character of development near or around the subject area. Commercial Blvd is a predominant Commercial corridor and would lose 3.25% of the Commercial Capacity should this application be approved. However, The application has since provided an updated letter to include live work units as part of the overall development. The live-work units will provide flexibility for commercial uses on the property and will incorporate a design element on the ground floor that will read like a commercial façade at time of Site Plan Approval.

**f. The facts and opinions presented to the Planning and Zoning Board through hearings.** This Development Review Report includes data and analysis and written findings of fact and conclusions to support the Division's recommendation on the application and presented to the Board and entered into the record at its January 28<sup>th</sup>, 2019 regular public hearing.

**g. Additional Considerations-**

A traffic impact study was provided as part of this application as part of Attachment C showing that a multifamily development would result in less of an impact than a commercial project. The City's Traffic consultant verified said study and agrees with the Applicant's Traffic study that will result in less overall generated trips by going from a Commercial Future Use Category to a Residential Future Use Category.

The Applicant has additionally voluntarily filed a restrictive covenant to limit the actual dwelling units to 501 a copy of the recorded covenant will be included in the Land Use Plan Amendment Application.

**h. Amendment procedures-**

LDR Article IV., Part 2.0., Section 2.9., addresses the procedure for Zoning District Map or zoning regulation amendments. It requires the Board to make a recommendation to the City Commission at a duly noticed public hearing on changes to the Zoning District Map and zoning regulations and for the Board to forward its recommendation to the City Commission.

The Division has placed the Zoning District Map amendment application on the Planning and Zoning Board regular public hearing agenda for the August 29<sup>th</sup>, 2019 meeting. At that duly noticed public hearing, the Board will consider the application, this Development Review Report, all other substantial relevant evidence presented at the hearing, make a recommendation, and forward to the City Commission their recommendation on the application and all supporting evidence.

**i. Amendment Notice-**

LDR Article IV., Part 2.0., Section 2.10., addresses public notice. Subsection 2.10.1. requires a Future Land Use Map Amendment to be published in a newspaper of general circulation in Broward County at least 10 days prior to the date of the hearing.

- i. Published notice. Subsection 2.10.1., requires a Future Land Use Map Amendment to be published in a newspaper of general circulation in Broward County at least 10 days prior to the date of the hearing. The Division has caused a legal notice of the Planning and Zoning Board public hearing and the City Commission public hearings to be published in the Sun-Sentinel, a newspaper of general circulation within the City and Broward County, on or before January 18, 2020, or 10 days before the Board public hearing date. The application is included within the published legal notice for the public hearing. Proof of publication is on file with the Division and is included herein by reference. Thus, the Division concludes the application has been duly noticed consistent with the standards and requirements of LDR Article IV. , Part 2.0., Section 2.10.
- ii. Mailed notice. Subsection 2.10.3., requires mailed public notice. Specifically, it provides all owners and occupants of property within 300 feet of the premises for which the development order is requested shall be given notice of the hearing by mail. On or before July 03,2020, Staff provided the required mailed notice and a copy of the notice and a list of those persons noticed is on file with Staff and incorporated herein by reference. Consequently, the application is in conformance with this requirement.
- iii. Posted notice. Subsection 2.10.3 also requires the property be posted. Specifically, it provides that at least ten (10) days prior to the hearing, a sign shall be posted upon the property facing and visible from the street. The sign must be a minimum of three (3) square feet in size. Moreover, a notarized affidavit must be provided to Staff stating that the sign was posted on the appropriate day, that the sign remained posted for

the duration of the time required for the posting, and that a photograph of the sign in place is submitted. An affidavit has been provided stating the property will be posted during the required periods and staff will confirm prior to or at the hearing that a photograph has been provided showing the property is posted. Thus, the application is in conformance with this requirement.

#### **IV. ATTACHMENTS**

- 1. Attachment A- Application Form**
- 2. Attachment B- Application Criteria**
- 3. Attachment C- Site Plan**

## V. FINDINGS AND CONCLUSIONS

Based upon the information contained in this Development Review Report, the following findings of fact and conclusions of law are offered:

- A. Subject matter jurisdiction. The Division finds the City's adopted Land Development Regulations (LDR) provide that the Planning and Zoning Division has jurisdiction to make a recommendation to the Future Land Use Plan Amendments. LDR Article IV, Part 2.0. , Section 2.4 provides various Policies that need to be complied with and considered by the Board when respectively recommending and making a final determination on a Zoning District Map Amendment application.
- B. Zoning district consistency. It is found the Zoning District Map Amendment was submitted as a companion item to the Future Land Use Map Amendment Application and the Future the Future Land Use Map Amendment must be approved first in order to adopt an Ordinance for a Zoning District Map Amendment for the subject Site. The Applicant is requesting a Zoning change from General Commercial (CG) to Residential Multi-Family (RM-40). The Residential Multi-Family (RM-40) Zoning Designation is not compatible with the current underlying Future Land Use Designation of Commercial but would be compatible with the proposed Future Land Use Designation of High (50 du/acre) Residential.
- C. Comprehensive Plan Consistency. The applicant will be requesting a Future Land Use Change that **is not consistent** with Broward County's Land Use Plan Designation or the character of the surrounding areas.
- D. Applicable Land Development Regulations provisions The Division concludes the applicable Land Development Regulations (LDR) include: Article IV, Part 1.0 "Development Review Requirements", which generally addresses provisions on a pre-application conference for persons proposing to submit land development order applications, the review of land development order and permit applications for technical completeness, and the application review period; Objective 2.2 of the City of Lauderhill's Future Land Use Element of the Comprehensive Plan; And Policies 2.2.1-2.2.8 of the City of Lauderhill's Future Land Use Element of the Comprehensive Plan.
- E. Public notification. The Division has provided to all property owners within 300 feet of the subject property written notice of the Board and City Commission public hearings by regular mail. The City Clerk or Division has or will post notice of the public hearings at City Hall before the Board and City Commission hearings on the application. In addition, the Division has on file a picture showing the notice of the

hearing has been posted on the property and an affidavit stating the property will remain posted through the application process.

## **VI. ALTERNATIVE ACTIONS**

The proposed Ordinance is before the Board/LPA as required by The City of Lauderhill's Land Development Regulations (LDR) Article IV., Part 2.0., and Article VI., Section 4 requires the Board/LPA to make a recommendation to the City Commission on Future Land Use Plan Amendment applications as listed below:

### ALTERNATIVE A:

Staff recommends the Planning and Zoning Board enter into the record this Development Review Report and all other substantial competent evidence presented at the hearing, adopt the findings and conclusions contained herein, and forward the record to the City Commission with a recommendation that the proposed Ordinance be Approved with conditions because the application is **consistent** with LDR Article IV, Part 2.0. , Section 2.4 on the character of the district and its peculiar suitability for particular uses.

### **The conditions of approval as indicated below:**

1. The applicant shall be subject to any pre-existing dedications, restrictions, covenants, and easements that run with the land.
2. The Site Plan shall be reviewed by the Development Review Committee and forwarded to the City Commission for Final Approval.
3. This application approval shall be contingent upon the approval of the Land Use Plan Amendment Application from a Commercial Future Land Use Designation to an Irregular Residential (35.3 du/acre) Future Land Use Designation by the City of Lauderhill's City Commission. This Ordinance shall become null and void if the requested Land Use Plan Amendment Application is denied by the Broward County Commission or the Lauderhill City Commission.

### ALTERNATIVE B:

That the application is **not** in compliance with LDR Article IV, Part 2.0. , Section 2.4 on the character of the district and its peculiar suitability for particular uses. As such, the City Commission shall **deny** the application.

### ALTERNATIVE C:

That the application is not with LDR Article IV, Part 2.0. , Section 2.4 on the character of the district and its peculiar suitability for particular uses but conditions have been determined to be reasonably necessary to ensure compliance with LDR Article IV, Part 2.0. , Section 2.4 and the application be **Approved with conditions** by the City Commission. The applicant shall be subject to any pre-existing dedications, restrictions, covenants, and easements that run with the land.

**The conditions of approval as indicated below:**

1. The applicant shall be subject to any pre-existing dedications, restrictions, covenants, and easements that run with the land.
2. The Site Plan shall be reviewed by the Development Review Committee and forwarded to the City Commission for Final Approval.
3. This application approval shall be contingent upon the approval of the Land Use Plan Amendment Application from a Commercial Future Land Use Designation to an Irregular Residential (35.3 du/acre) Future Land Use Designation by the City of Lauderhill's City Commission. This Ordinance shall become null and void if the requested Land Use Plan Amendment Application is denied by the Broward County Commission or the Lauderhill City Commission.

ALTERNATIVE D:

That the application be tabled for up to six months because the City Commission finds that available information is insufficient on which to base either approval or denial of the application and that a study is conducted to provide the City Commission with information sufficient to form a basis on which to approve or deny the application. The applicant shall be subject to any pre-existing dedications, restrictions, covenants, and easements that run with the land.

**VII. RECOMMENDED ACTION**

- A. Division recommendation. Staff recommends the Planning and Zoning Board enter into the record this Development Review Report and all other substantial competent evidence presented at the hearing, adopt the findings and conclusions contained herein, and forward the record to the City Commission with a recommendation that the proposed Ordinance **be approved with conditions** because the application is **consistent** with LDR Article IV, Part 2.0.

, Section 2.4 on the character of the district and its peculiar suitability for particular uses. The applicant shall be subject to any pre-existing dedications, restrictions, covenants, and easements that run with the land.

**The conditions of approval as indicated below:**

1. The applicant shall be subject to any pre-existing dedications, restrictions, covenants, and easements that run with the land.
2. The Site Plan shall be reviewed by the Development Review Committee and forwarded to the City Commission for Final Approval.
3. This application approval shall be contingent upon the approval of the Land Use Plan Amendment Application from a Commercial Future Land Use Designation to an Irregular Residential (35.3 du/acre) Future Land Use Designation by the City of Lauderhill's City Commission. This Ordinance shall become null and void if the requested Land Use Plan Amendment Application is denied by the Broward County Commission or the Lauderhill City Commission.

B. Planning and Zoning Board recommendation. The proposed Ordinance was scheduled on the agenda for the regular January, 2020 Board hearing, held on January 28, 2020. The Planning and Zoning Board recommended denial of the application.

C. City Commission action. First reading of the proposed Ordinance is tentatively scheduled on the agenda for the July 13, 2020 City Commission public hearing. If approved or approved with conditions on first reading, the adoption hearing on the proposed Ordinance is scheduled on December 14, 2020.